

REMARKS/ARGUMENTS

Favorable reconsideration of this application, in light of the present amendments and following discussion, is respectfully requested.

Claims 1-12 are pending. Claims 1, 9, and 11 are amended. Claim 12 is newly added. Support for the amendment to Claim 1 can be found in the originally filed application at page 4, lines 27-29, for example. Support for the amendment to Claim 11 can be found at page 4, line 27-page 5, line 2, and in Figs. 1 and 2, for example. Support for newly added Claim 12 can be found at page 5, lines 12-14 of the specification, for example. No new matter is added.

In the outstanding Office Action, Claims 1, 3, and 5 were provisionally rejected on the ground of non-statutory obviousness-type double patenting as obvious over Claims 1, 5, 6, 7, and 8 of copending application No. 10/271,788. Claims 1-11 were rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Claims 1-3, 6, and 9 were rejected under 35 U.S.C. § 103(a) as obvious over Riboud (U.S. Patent No. 3,417,418, herein "Riboud") in view of Wood (U.S. Patent No. 5,763,038, herein "Wood"). Claims 4 and 5 were rejected under 35 U.S.C. § 103(a) as obvious over Riboud in view of Wood and Shizuno et al. (U.S. Patent Pub. 2003/0088928, herein "Shizuno").

Regarding the provisional rejection of Claims 1, 3, and 5 on the ground of non-statutory obviousness-type double patenting in view of Claims 1, 5, 6, 7, and 8 of copending Application No. 10/271,788, that rejection is respectfully traversed.

Independent Claim 1 of the present application recites "adhesive tapes having different widths, the adhesive tape which is located at an upper layer having a larger width than that of the adhesive tape which is located at a lower layer."

In contrast, none of Claims 1, 5, 6, 7, and 8 of copending Application No. 10/271,788 recites that the widths of the adhesive tapes are different in upper and lower layers.

Accordingly, Applicants respectfully submit that Claims 1, 3, and 5 of the present application are not obvious over Claims 1, 5, 6, 7, and 8 of copending Application No. 10/271,788.

Regarding the rejection of Claims 1-11 as failing to comply with the enablement requirement, that rejection is respectfully traversed by the present response.

The outstanding Office Action asserts that "the language 'including an axis of rotation' and 'as measured in a direction parallel to the axis of rotation' ... is not supported by the specification."¹

Applicants respectfully submit that a person of ordinary skill in the art would understand that **a roll has an axis of rotation**. However, to advance prosecution, Applicants have amended independent Claims 1 and 11 to delete reference to the axis of rotation of the roll. Accordingly, Applicants respectfully submit that the rejection of Claims 1-11 as including new matter is overcome.

Regarding the rejection of Claims 1-3, 6, and 9-11 as obvious over Riboud in view of Wood, that rejection is respectfully traversed by the present response.

Amended independent Claim 1 recites, in part:

An adhesive roll cleaner comprising:
a core tube including a plurality of adhesive tapes...
each of the adhesive tapes being helically wound around the core
tube in a layered configuration with the adhesive portion out...
the adhesive tapes having different widths, the adhesive tape which is located
at an upper layer having a larger width than that of the adhesive tape which is located
at a lower layer.

Accordingly, the adhesive tapes have different **widths**. The adhesive tape located at the upper layer having a larger width than that of the adhesive tape which is located at the lower layer

One non-limiting embodiment of the above-noted feature is shown in Fig. 2 where W1 indicates a width at a lower layer. W2 is a width of a layer above the layer of width W1.

¹ Outstanding Office Action, page 3.

W3 is a width corresponding to an uppermost layer. W3 is larger than W2. W2 is larger than W1.

One benefit of the above-noted arrangement is that, when a user peels off a soiled outermost adhesive tape to expose a fresh adhesive surface, the underlying adhesive tape is effectively prevented from accompanying the tape being peeled off. Thus, the risk of double peeling is reduced.²

Applicants respectfully submit that, when read in light of the specification, a person of ordinary skill in the art would understand that the width of tapes recited in independent Claim 1 relates to the width as measured in the direction shown in Fig. 2. The specification defines the "width" direction as follows:

For effective prevention of the adhesive tape 3 from being torn due to a clinging hair, it is preferred for the adhesive tape 3 to have the recited tear strength in the direction perpendicular to the longitudinal direction of the adhesive tape, i.e., the width direction of the adhesive tape 3. The longitudinal direction of the adhesive tape 3 as referred to in the present invention is the direction along the winding direction of the adhesive tape 3.³

Thus, the width is defined in the specification as a direction perpendicular to the direction of winding.⁴

In contrast, Riboud is devoid of an upper layer having a larger width than a lower layer. The outstanding Office Action acknowledges this at page 4, paragraph 1.

The outstanding Office Action relies on Wood for the feature of an upper layer having a larger width than an adhesive tape which is located at a lower layer.⁵ The outstanding

² See published specification, numbered paragraph [0015].

³ Specification, page 7, lines 17-22.

⁴ See MPEP § 2111.01(III) stating: Where an explicit definition is provided by the applicant for a term, that definition will control interpretation of the term as it is used in the claim. *Toro Co. v. White Consolidated Industries Inc.*, 199 F.3d 1295, 1301, 53 USPQ2d 1065, 1069 (Fed. Cir. 1999) (meaning of words used in a claim is not construed in a "lexicographic vacuum, but in the context of the specification and drawings").

⁵ Outstanding Office Action, page 4.

Office Action defines the axis of rotation "as running parallel to the end of the adhesive roll."⁶

Wood, as shown in Figs. 2 and 4, describes changing **lengths** of a sheet **in a direction of winding of a wrapped roll** (10). As discussed in the previous response, Wood wraps rectangular sheets around a roll (10) and changes only the **length** of the rectangular sheets, not the **width** of adhesive tapes helically wound around a core. The arrangement of the sheets in Wood causes the seams between the sheets to be arranged **laterally** across the roll (10) and therefore, the seams in Wood are more likely to undesirably peel from the roll (10) during use. Accordingly, Wood fails to disclose adhesive tape located at an upper layer and having a larger width than that of an adhesive tape which is located at a lower layer as recited in amended independent Claim 1.

Accordingly, Applicants respectfully submit that amended independent Claim 1 patentably distinguishes over any reasonable combination of Riboud and Wood for at least the reasons discussed above.

Claims 2, 3, 6, 9, and 10 each depend from amended independent Claim 1 and patentably distinguish over any reasonable combination of Riboud and Wood for at least the same reasons as amended independent Claim 1 does.

Regarding the rejection of independent Claim 11 as obvious over Riboud and Wood, that rejection is respectfully traversed by the present response.

Amended independent Claim 11 recites, in part:

each of the adhesive tapes being helically wound around the core tube in a layered configuration with the adhesive portion out,
each of the adhesive tapes being wound with a gap of prescribed width between every adjacent turn, and
the adhesive tapes having different widths being arranged such that the width of the adhesive tapes stepwise increases toward an outside so that the adhesive tape that is the lowest has a smallest width, and an adhesive tape that is uppermost has a largest width, and a width of an

⁶ Outstanding Office Action, page 5.

adhesive tape which is positioned in the middle of the uppermost and lowest adhesive tapes is between the largest width and smallest width.

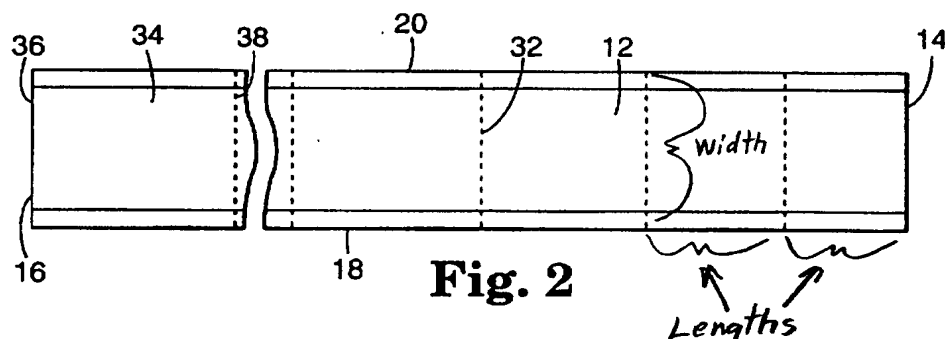
Accordingly, the adhesive tapes change in width. The lowest adhesive tape has the smallest width. The uppermost adhesive tape has the largest width. A tape in-between the lowest and uppermost tapes has a width between the smallest and largest.

As discussed above, the outstanding Office Action acknowledges that Riboud fails to teach or suggest the above-noted feature, and the outstanding Office Action relies on Wood for adhesive sheets that change width as measured in a direction parallel to an axis of rotation (while defining an axis of rotation to be **parallel to an end of the roll**).

However, as noted above, Wood fails to teach or suggest tapes of different widths as a person of ordinary skill in the art would understand the term "width" in view of the specification. Rather, Wood merely describes tapes of differing **lengths**. For example, the section of Wood cited in the outstanding Office Action as disclosing different lengths of tapes states:

A plurality of lines of perforations extend across at least most of the width of the tape between the first and second side edges to separate the tape into sheets. The sheets have progressively increasing **lengths** from the first end to the second end such that, when the sheets are wound into a roll, each sheet is longer than the sheet underneath it.⁷

In Fig. 2, shown below with annotation, Wood depicts the differing lengths of sheets, not widths.



⁷ Wood, col. 1, lines 51-56 (emphasis added).

Applicants respectfully submit that Wood does not teach or suggest different widths of tapes, but instead describes different lengths as shown above. Accordingly, Applicants respectfully submit that no reasonable combination of Riboud and Wood would include all of the features recited in amended independent Claim 11 for at least the reasons discussed above.

Regarding the rejection of Claims 4 and 5 as obvious over Riboud, Wood, and Shizuno, that rejection is respectfully traversed by the present response.

Claims 4 and 5 each depend from amended independent Claim 1 and patentably distinguish over any proper combination of Riboud and Wood for at least the same reasons as amended independent Claim 1 does.

Shizuno fails to remedy the deficiencies discussed above regarding Riboud and Wood. The outstanding Office Action relies on Shizuno for the feature of a specific gap width and adhesive tapes having a tear strength of 500 mN or greater as measured with an Elmendorf tear test in accordance with JIS P8116. However, Shizuno is devoid of adhesive tapes that vary in width such that a tape located at an upper layer has a larger width than that of an adhesive tape located at a lower layer as recited in amended independent Claim 1. Accordingly, Applicants respectfully submit that no reasonable combination of Wood, Riboud and Shizuno would include all of the features recited in amended independent Claim 1. Thus, Claims 4 and 5 depending from amended independent Claim 1 patentably distinguish over any reasonable combination of the cited references for at least the reasons discussed above.

Regarding the rejection of dependent Claims 7 and 8 as obvious over Riboud, Wood, and Hukuba, that rejection is respectfully traversed by the present response.

Claims 7 and 8 each depend from amended independent Claim 1 and patentably distinguish over any proper combination of Riboud and Wood for at least the same reasons as Claim 1 does.

The outstanding Office Action relies on Hukuba for the feature of the marks indicative of a peel position recited in dependent Claims 7 and 8.⁸

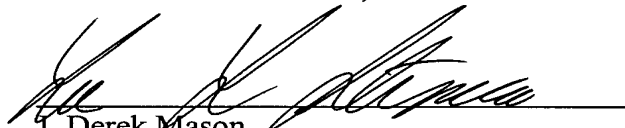
However, Hukuba fails to teach or suggest the adhesive tape located in an upper layer has a **larger width** than that of the adhesive tape which is located at a lower layer as recited in amended independent Claim 1. Accordingly, no proper combination of Riboud, Wood, and Hukuba would include all of the features of amended independent Claim 1 or Claims 7 and 8 depending therefrom.

Newly added dependent Claim 12 depends from amended independent Claim 1 and patentably distinguishes over any proper combination of the cited references for at least the same reasons.

Consequently, in light of the above-discussion and in view of the present amendment, the present application is believed to be in condition for allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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⁸ Outstanding Office Action, page 7.